

***United States Court of Appeals
for the Second Circuit***



APPENDIX

74-2012²⁹⁵

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----x
UNITED STATES OF AMERICA,

Plaintiff-Respondent,

-against-

OTTAVIO LAMANTIA,

Defendant-Appellant.
-----x

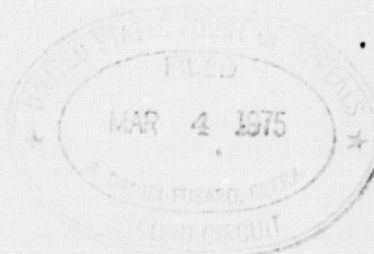
APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

DOCKET NUMBER: 74-2012

A P P E N D I X

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PAGINATION AS IN ORIGINAL COPY

73 CR1007

BARTELS, J.

TITLE OF CASE

THE UNITED STATES

ATTORNEY

For U. S.: O'Brien

ANGELO PINTO

OTTAVIO LA MANTIA

For Defendant: Pinto- Albert

Tomei- 26. Court St. B'klyn
624-3820

possess with intent to distribute cocaine

ABSTRACT OF COSTS

AMOUNT

CASH RECEIVED AND DISBURSED

DATE

NAME

RECEIVED

DISBURSED

al,
ey,
issioner's Court,
sses,

PROCEEDINGS

-73 Before COSTANTINO, J. - Indictment filed

-73 Notice of appearance filed (PINTO)

73 Notice for pleading set for Nov. 30, 1973 at 9:30 am. . filed .

-73 Before Bartels J - Case called - deft & counsel present - deft .
enters a plea of not guilty - defts motion for discovery -granted -
defts motion for reduction of bail granted - Bail ordered reduced
to \$20,000.00. (H. Jc)

80-73 Before BARTELS J - Case called - deft La Mantia & counsel present-
deft arraigned and enters a plea of not guilty - trial of both
defts set down for Feb. 6, 1974.

73 Notice of Readiness for Trial filed. (Pinto)

73 Notice of Readiness for Trial filed (La Mantia)

73 CR1007

PROCEEDINGS

- Letter dated 12/6/73 filed from A. Tomei to J. Bartels re: that the atty will be ready on 2/5/74.
- 4 Before BARTELS, J - Case called - deft Pinto & counsel Zerlin, Cooper & Horlick, present - deft Pinto withdraws his plea of not guilty and having been advised of his rights and on his own behalf enters a plea of guilty as charged - sentence adjd without date - bail continued.
- 74 Before BARTELS J - case called - deft La Mantia & counsel Jan Horlick present - defts motion to suppress, etc. hearing begun - Defts motion denied as to defts statements in car; decision reserved as to defts statements at D E A office. Trial set down for Feb. 19, 1974 @ 9:30 am.
- 4 Before BARTELS J - case called - deft & counsel present - Trial ordered and begun - Jurors selected and sworn - Trial contd to 2-21-74.

ASST. CLERK

DATE 2/2, 1974

BY

B. J. [Signature]

DEPT. CLERK

United States District Court

FOR THE

EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT, E.D. NY

United States of America

v.
ANGELO PINO

APR 24 9/4 No.

75 CR 1007

TIME A.M.
P.M.

On this 19th day of APRIL, 1974 came the attorney for the government and the defendant appeared in person and with counsel

It is ADJUDGED that the defendant upon his plea of guilty and the court being satisfied there is a factual basis for the plea has been convicted of the offense of violating T-21, U.S.C. Sec. 841(a)(1) and T-18, U.S.C. Sec. 2, in that on or about Nov. 15, 1973, the defendant aided and abetted by another, did knowingly and intentionally possess with intent to distribute approximately 100.8 grams of cocaine, a Schedule II narcotic drug controlled substance

as charged

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It is ADJUDGED that the defendant is guilty as charged and convicted.

It is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of 5 years pursuant to T-18, U.S.C. Sec. 4242(c)(2). Also imposed is a special parole term of 3 years in addition to each term of imprisonment.

It is ADJUDGED that:

It is ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

1st John R. Bartels

United States District Judge.

The Court recommends commitment to:

Clerk.

A True Copy, Certified this

(Signed)

Linda C. [Signature]

(By)

John R. Bartels

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT



UNITED STATES OF AMERICA,

Plaintiff,

-against-

No. 73 CR 1007

ANGELO PINTO and OTTAVIO LAMANTIA,

Defendants.

INDEX TO RECORD ON APPEAL

Certified copy of docet entries	A-C
Indictment	1
Notice of Appearance (Pinto)	2
Notice for Pleading	3
Notice of Readiness for trial (Pinto)	4
Notice of Readiness for trial (LaMantia)	5
Letter dated 12/8/73 from A. Tomei to J. Bartels	6
Letter from Jay Gregory Horlick to Chambers dated 4/8/74	7
Financial affidavit of Ottavio LaMantia	8
Judgment and commitment (Pinto)	9
Voucher for Compensation of counsel (LaMantia)	10
Letter from defendant, Pinto dated 5/28/74	11
Judgment and Commitment (LaMantia)	12
Notice of Appeal (LaMantia)	13
Notice of Appearance (Pinto)	14
Clerk's Certificate	15

CLERK'S CERTIFICATE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

VS.

OTTAVIO LA MANTIA

73 CR 1007

I, LEWIS ORGEL, Clerk of the United States District Court for the Eastern District of New York, do hereby certify that the foregoing copy of the Docket Entries from A to C and the original papers numbered from page 1 to 14 constitute the Record of Appeal.

I further testify that the last day to file said record is _____.

IN TESTIMONY WHEREOF, I have caused the seal of said Court to be hereunto affixed, at the Borough of Brooklyn in the Eastern District of New York, this 27th day of September 1974, in the year of our LORD, One Thousand Nine Hundred and Seventy Four and of the Independence of the United States One Hundred and Ninety-Eighth.

Lewis Orgel
CLERK

By: Allen Jay Herzfeld
DEPUTY CLERK



EJB:JOB:sj
F# 733,992

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA

- against -

ANGELO PINTO and
OTTAVIO LA MANTIA,

Defendants.
----- X

THE GRAND JURY CHARGES:

Cr. No. 93CR1007
(T. 21, U.S.C., §841(a)(1)
and T. 18, U.S.C., §2)

NOV 20 1973

Baras, J.

On or about the 13th day of November 1973, within the Eastern District of New York, the defendant ANGELO PINTO, aided and abetted by OTTAVIO LA MANTIA, did knowingly and intentionally possess with intent to distribute approximately 108.8 grams of cocaine, a Schedule II narcotic drug controlled substance. (Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2).

A TRUE BILL.

Foreman.

UNITED STATES ATTORNEY

